COVAD

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October 10, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Application by BellSouth Corp. for InterLATA Authorization in Florida and
Tennessee, WC Docket No. 02-307

Dear Ms. Dortch:

        On October 9, 2002, the undersigned, together with William Weber and Collette
Davis of Covad Communications Company, made an *ex parte* presentation in the above-
referenced docket to Commission staff. The following Commission staff members were
present: Christine Newcomb, Jon Minkoff, Ruth Yodaiken, Laurel Bergold, Greg Cooke,
Rodney McDonald, Denise Coca, Cara Grayer, and Shannon Lipp.

        The purpose of the presentation was to provide Commission staff with an
overview of the issues Covad will raise with respect to BellSouth's filing for interLATA
authorization in Florida and Tennessee in the above-referenced docket. The attached
handout summarizing the issues Covad will raise was distributed during the meeting.

        The twenty-page limit does not apply as set forth in DA 02-2357.

                                Respectfully submitted,

                                ___/s/ Praveen Goyal_____

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                                Regulatory Affairs
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Federal Communications Commission

October 9, 2002

BellSouth Florida/Tennessee 271 Applications

Recent Concerns

1. BellSouth Discrimination in Telephone Number Validation for Line Shared Loops
   - BellSouth and its resellers can place line shared orders using only a telephone number to identify the customer.
   - CLECs must identify customers by telephone number and full address validation.
   - For Covad, address mismatches with BellSouth's databases account for 18% of all rejected line sharing orders placed via EDI. Telephone number validation would eliminate virtually all of these.
   - BellSouth has yet to schedule a date on which this ordering enhancement will be made available to CLECs.

2. BellSouth Refuses to Allow CLECs to Access Raw Loop Data
   - BellSouth has created a line sharing prequalification tool that draws raw loop data from its databases.
   - CLECs are allowed access to BellSouth's loop qualification tool, but not to the raw data that feeds it.
   - The BellSouth prequalification tool is optimized for identifying loops that will support line sharing on the network it controls. Because of BellSouth's aggressive deployment of DLC, many loops available to BellSouth have been removed from the reach of any CLEC. CLECs have a legal right to the raw data that will allow them to create a tool that is optimized for identifying loops that can support line sharing in the more limited network that is available to them.

3. BellSouth's Line Sharing Resellers Can Place "To-and-From" Orders. CLECs Cannot.
   - A "To-and-From" order allows a BellSouth DSL reseller to place an order transferring service from one address to another as soon as their customer has asked to have his or her voice service transferred.
   - CLECs must disconnect their customer's Line Shared Loop and then wait until voice service is fully provisioned at a new address before placing a new order to establish a Line Shared Loop.
   - An already-planned enhancement to the new reseller process will provision the DSL connection at the same time as the new voice service is provisioned.
   - The discriminatory impact of this OSS enhancement is clear: BellSouth resellers are able to transfer DSL services faster and less expensively than CLECs.

Chronic Problems

These problems have been raised in one or more previous BellSouth 271 applications, and BellSouth has yet to address them completely. This is the Commission's last opportunity within the 271 process to see that these chronic problems are finally corrected.

4. Line Shared Loops: OSS Problems
    - A BST OSS defect prevents flow-through and forces Covad to resort to manual processes to obtain information necessary to validate bills. BST has not yet corrected this defect though it asserts that it will fix the defect in its December OSS release.
    - A BST OSS Service Order defect results in Covad being billed for loops that have not been delivered. BST has not yet corrected this defect though it asserts that it will fix the defect in its December OSS release.
    - All BST retail ordering processes are mechanized; manual processes are expensive and hinder the development of competition.
    - BellSouth's application is premature: it should fix the its discriminatory defects *before* it applies for 271 authority.

5. UCL-ND Loop: No Electronic Ordering
    - Covad orders this loop for its SDSL service.
    - Despite its claim to the Commission during the Ga/La 271 proceedings that this loop would be mechanized by July, 2002, to date the loop is only partially mechanized. Electronic ordering is scheduled for implementation, but dates may slip.

6. Conditioned Loops: No Electronic Ordering
    - BST electronically orders loop conditioning for itself.
    - Mechanization of conditioned loops is not yet scheduled, though BellSouth has begun to discuss potential implementation.

For further information, please contact Bill Weber, Covad Vice President for External Affairs, at 404-942-3494 or Praveen Goyal, Covad Senior Counsel, at 202-220-0422.